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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,578	02/25/2002	James F. Austin	12523-0002	5701

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EXAMINER
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CHANG, JUNGWON

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/082,578

Applicant(s)

AUSTIN ET AL.

Examiner

Jungwon Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 17,20-41,47-58 and 61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17,20-41,47-58 and 61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/4/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. In response to the Restriction Requirement, applicant elects Group II, claims 17, 20-25, 27, 28, 47-50, 53, 55-58 and 61, without traverse. In addition, applicant notes that claims 26, 29-41, 51, 52 and 54 have to be included in Group II due to they are dependent from claims in Group II. Examiner agrees with applicant's argument and thus, the claims 26, 29-41, 51, 52 and 54 are included in Group II. Furthermore, renumbering of all dependent claims is required.

2. Claims 17, 20-41, 47-58 and 61 are presented for examination.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 17, 20-41, 47-58 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cline (US 2001/0051835), in view of Barnard (US 6,456,938).

5. As to claim 53, Cline discloses the invention substantially as claimed,

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including a method of providing a substantially continuously updated golf score leaderboard to participants in a golfing event (fig. 11; 1<sup>st</sup>, 2<sup>nd</sup>, T-3<sup>rd</sup>, T-3<sup>rd</sup>; page 9, [0091]), the method including the steps of:

enabling wireless devices (cellular telephone, personal data assistant, pager, laptop, palmtop; page 6, [0065]) carried by the participants to wirelessly communicate golf score data of the participants to a server (201, fig. 2) (score entry and verification via wireless device; 401, fig. 4; golfers 207 can access the client system for data entry and report viewing through wireless devices in their carts; page 6, [0063]; page 8, [0087]; page 9, [0091]) via a transceiver (cellular phone in WAP inherently comprises a transceiver for transferring and receiving data) coupled to the server (201, fig. 2) by a network (200, fig. 2);

enabling each wireless device to receive and store golf score data from a participant at any time during the event, regardless of whether the wireless device is within the range of the transceiver (golfers 207 can access the client system for data entry and report viewing through wireless devices in their carts; page 6, [0063]; wireless terminal include a cellular radio telephone with data processing that inherently has a memory to store data and a receiver to receive data; page 6, [0065]);

updating a leaderboard based on the golf score data of the participants when golf score data is received by the server (update databases for golfers and master group; 407, fig. 4; page 10, [0096]); and

downloading the updated leaderboard to the wireless devices substantially continuously during the golfing event (a remote server, which performs the

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necessary calculations and reports summary results to the client location; page 4, [0050]; servers will transmit required data to clients as required; page 6, [0062]).

6. Cline discloses wireless terminals (PDA, palmtop) that have web connectivity operate using the wireless version of HTTP specified in the Wireless Application Protocol (WAP). The PDA and palmtop that inherently are allowed to access only within short range or medium range of communication using Bluetooth. Barnard discloses the wireless devices communicating the golf score data only when within a range of communication with the transceiver (col. 8, lines 52-59; col. 16, line 51 – col. 17, line 12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Cline and Barnard because Barnard's Bluetooth would enable data communication between client and server through short range or medium range radio frequency.

7. As to claim 61, it is rejected for the same reasons set forth in claim 53 above. In addition, Cline discloses continuously viewable advertising material to participants in a golfing event (page 5, [0060]; advertising logos and promotional messages; page 10, [0099]; page 12, [0117]; ads database to enable the display of advertising; page 14, claims 26 and 27).

8. As to claim 17, Cline discloses the event includes an activity relating to one of marketing research, voting, fishing, and golf (golf; page 1, [0002]-[0005]).

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9. As to claim 20, Cline discloses the event is a golfing event and the individual information is golf score data of one of a participant and a team including the participant (individual golfers or teams of golfers; page 1, [0003]).

10. As to claim 21, Cline discloses server software permits web users access via a web site to a handicapping system after the web users log in to the web site, the handicapping system (page 3, [0029]-[0032]) permitting submission of golf score data and providing updated handicap information (participants wish to be scored using a Handicap Differential Adjustment; page 6, [0067]).

11. As to claim 22, Cline discloses the event information is a leaderboard including the golf score data of participants in the event in leader order (fig. 11; 1<sup>st</sup>, 2<sup>nd</sup>, T-3<sup>rd</sup>).

12. As to claim 23, Cline does not specifically disclose the server software stops providing event information to a participant if the participant fails to upload golf score data for one of a predetermined number of holes of golf and a predetermined time period. However, it would have been obvious to ordinary skill in the art to include stop providing event information to a participant since there is no new or updated data to transfer to clients.

13. As to claims 24 and 28, Cline discloses the golf score data is uploaded after a hole of golf is completed (fig. 7; page 2, [0020]; page 4, [0050]; provide scoring

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assistance at the completion of the event; page 4, [0051]; page 7, [0073]).

14. As to claims 25 and 26, Cline discloses the server software interfaces (110, fig. 1) with a handicapping system (103, fig. 1) to permit calculations of handicaps of participants (page 3, [0029]-[0032]; participants wish to be scored using a Handicap Differential Adjustment; page 6, [0067]).

15. As to claim 27, Cline discloses the server software provides an e-mail message to a participant who submitted golf score for calculation of a handicap, the email message including the calculated handicap of the participant (figs. 9-11; page 5, [0054]; page 6, [0063]).

16. As to claim 29, Cline discloses the contest holes include one of a longest drive hole, a longest putt hole, a closest-to-the-pin hole, and a hole-in-one hole (group contest; page 1, [0003]).

17. As to claims 30 and 31, Cline discloses server software updates the contest hole information upon receipt of contest hole information from a participant (update databases for golfers and master group; 407, fig. 4; page 10, [0096]), and provides the contest hole information for viewing by the participants (viewing their own records and the records of any event in which that golfer was a participant; page 5, [0054]; reports are displayed on screen; page 6, [0063]).

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18. As to claims 32, 33, 34, 38 and 39, Cline discloses application software enables the wireless device to download and store advertising material from the network for viewing by the participants (page 5, [0060]; advertising logos and promotional messages; page 10, [0099]; page 12, [0117]; ads database to enable the display of advertising; page 14, claims 26 and 27).

19. As to claims 35 and 36, Cline discloses main screen includes a link to a web site with financial content, news content (page 6, [0064]; page 7, [0077], [0079]).

20. As to claim 37, Cline discloses application software permits participants to enter an e-mail address into a wireless device for submission to the server to obtain additional information relating to an advertiser included in the advertising material (page 5, [0054]).

21. As to claims 40 and 41, Cline discloses the episode is completion of a predetermined hole and a predetermined number of holes (figs. 6, 7; partially completed; completed; page 2, [0019]-[0020]; page 4, [0050]; page 4, [0051]; page 7, [0073]).

22. As to claim 47, it is rejected for the same reasons set forth in claims 20 and 22 above.

23. As to claim 48, it is rejected for the same reasons set forth in claim 21



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above.

24. As to claim 49, it is rejected for the same reasons set forth in claim 24 above.

25. As to claim 50, it is rejected for the same reasons set forth in claim 28 above.

26. As to claim 51, it is rejected for the same reasons set forth in claim 30 above.

27. As to claim 52, it is rejected for the same reasons set forth in claim 32 above.

28. As to claim 54, Cline discloses providing the wireless devices to the participants (cellular telephone, personal data assistant, pager, laptop, palmtop; page 6, [0065]).

29. As to claim 55, Cline discloses the golf score data is automatically communicated to the server after a predetermined time period has elapsed (figs. 6, 7; partially completed; completed; page 2, [0019]-[0020]; page 4, [0050]; page 4, [0051]; page 7, [0073]).

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30. As to claim 56, Cline discloses providing a database connected to the server for storing the golf score data (102-109, fig. 1) and the updated leaderboard (update databases for golfers and master group; 407, fig. 4; page 10, [0096]).

31. As to claim 57, it is rejected for the same reasons set forth in claim 23 above.

32. As to claim 58, it is rejected for the same reasons set forth in claim 24 above.

### ***Conclusion***

33. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Crook et al, patent 6,705,942, Lobb et al, 2002/0161461, Bianco et al, patent 6,263,279, Berry et al, 2002/0115488 disclose method and system for tracking the results of multiple online events and ranking the players depending on the points they score.

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JWC

August 22, 2005